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7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE DISTRICT OF OREGON

9 GERSON NUNEZ,

Civil No. 06-179-CO
O R D E R

10 Petitioner,

11 vs.

12 CHARLES A. DANIELS, et al.,

13 Respondents.
14

15 AIKEN, Judge:

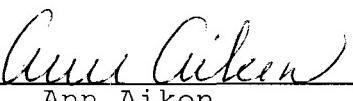
16 Magistrate Judge Cooney filed his Findings and
17 Recommendation on February 22, 2006. The matter is now before
18 me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P.
19 72(b). When a party objects to any portion of the Magistrate's
20 Findings and Recommendation, the district court must make a de
21 novo determination of that portion of the Magistrate's report.
22 28 U.S.C. § 636(b)(1)(B); McDonnell Douglas Corp. v. Commodore
23 Business Machines, 656 F.2d 1309, 1313 (9th Cir. 1981), cert.
24 denied, 455 U.S. 920 (1982).

25 Petitioner has timely filed objections. I have, therefore,
26 given the file of this case a de novo review. I ADOPT the
27 Magistrate's Findings and Recommendation (doc. 3) that
28 petitioner's petition pursuant to 28 U.S.C. § 2241 is denied

1 without prejudice to seek review in the district of his
2 incarceration. I agree that the District of Oregon is no longer
3 the proper venue for petitioner's claims.

4 IT IS SO ORDERED.

5 Dated this 14 day of March 2006.

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9 _____
10 Ann Aiken
United States District Judge